

98TH CONGRESS
1ST SESSION

H. R. 3460

To amend the National Security Act of 1947 to regulate public disclosure of information held by the Central Intelligence Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1983

Mr. MAZZOLI introduced the following bill; which was referred jointly to the Permanent Select Committee on Intelligence and the Committee on Government Operations

A BILL

To amend the National Security Act of 1947 to regulate public disclosure of information held by the Central Intelligence Agency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Intelligence Information
4 Act of 1983".

5 SEC. 2. (a) The National Security Act of 1947 is
6 amended by adding at the end thereof the following new title:

1 "TITLE VII—RELEASE OF REQUESTED INFORMA-
2 TION TO THE PUBLIC BY THE CENTRAL IN-
3 TELLIGENCE AGENCY

4 EXEMPTION OF CERTAIN OPERATIONAL FILES FROM
5 SEARCH, REVIEW, PUBLICATION, OR DISCLOSURE

6 "SEC. 701. (a) Operational files located in the Director-
7 ate of Operations, Directorate for Science and Technology,
8 and Office of Security of the Central Intelligence Agency
9 shall be exempted from the provisions of the Freedom of In-
10 formation Act which require publication or disclosure, or
11 search or review in connection therewith.

12 "(b) Subsection (a) of this section shall not prevent the
13 search and review of operational files for information con-
14 cerning—

15 "(1) United States citizens or aliens lawfully ad-
16 mitted for permanent residence who have requested in-
17 formation on themselves pursuant to the provisions of
18 the Freedom of Information Act (5 U.S.C. 552);

19 "(2) any special activity the existence of which is
20 not exempt from disclosure under the provisions of the
21 Freedom of Information Act;

22 "(3) the subject of an investigation by the intelli-
23 gence committees of the Congress, the Intelligence
24 Oversight Board, the Office of General Counsel of the
25 Central Intelligence Agency, the Office of Inspector

1 General of the Central Intelligence Agency, or the
2 Office of the Director of Central Intelligence for any
3 impropriety, or violation of law, Executive order, or
4 Presidential directive in the conduct of an intelligence
5 activity.

6 “(c) The provisions of subsection (a) of this section shall
7 not be superseded except by a provision of law which is en-
8 acted after the date of enactment of subsection (a), and which
9 specifically cites and repeals or modifies its provisions.

10 “(d) For the purposes of this title the term ‘operational
11 files’ means those files which document—

12 “(1) the means by which foreign intelligence infor-
13 mation, counterintelligence information, or counterter-
14 rorism information is collected through scientific and
15 technical systems;

16 “(2) foreign intelligence operations, counterintelli-
17 gence operations, or counterterrorism operations;

18 “(3) investigations conducted to determine the
19 suitability of potential foreign intelligence sources,
20 counterintelligence sources, or counterterrorism
21 sources; or

22 “(4) intelligence or security liaison arrangements
23 or information exchanges with foreign governments or
24 their intelligence or security services.

1 “(e)(1) Nonoperational files which contain information
2 derived or disseminated from operational files shall be subject
3 to search and review.

4 “(2) The inclusion of information from operational files
5 in nonoperational files shall not affect the exemption under
6 subsection (a) of this section of the originating operational
7 files from search, review, publication, or disclosure.”.

8 (b) The table of contents at the beginning of such Act is
9 amended by adding at the end thereof the following:

“TITLE VII—RELEASE OF REQUESTED INFORMATION TO THE PUBLIC BY
THE CENTRAL INTELLIGENCE AGENCY

“Sec. 701. Exemption of certain operational files from search, review, publication, or
disclosure.”.

10 SEC. 3. The amendments made by section 2 shall be
11 effective upon enactment of this Act and shall apply with
12 respect to any requests for records, whether or not such re-
13 quest was made prior to such enactment, and shall apply to
14 all cases and proceedings pending before a court of the
15 United States on the date of such enactment.

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